

1 BILL LOCKYER, Attorney General  
of the State of California  
2 RONALD A. CASINO, State Bar No. 70410  
Deputy Attorney General  
3 California Department of Justice  
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5 P.O. Box 85266  
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7 Attorneys for Complainant  
8

9 **BEFORE THE**  
10 **BOARD OF PHARMACY**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 AHMAD H. HALL CHAND

14 3179 Lomar Springs Court  
Spring Valley, CA 91977

15 Pharmacy Technician Registration No. TCH  
16 32732

17 Respondent.

Case No. 2907

**DEFAULT DECISION  
AND ORDER**

[Gov. Code, §11520]

18 **FINDINGS OF FACT**

19 1. On or about April 3, 2006, Complainant Patricia F. Harris, in her official  
20 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs,  
21 filed Accusation No. 2907 against AHMAD H. HALL CHAND (Respondent) before the Board  
22 of Pharmacy.

23 2. On or about March 21, 2000, the Board of Pharmacy (Board) issued  
24 Pharmacy Technician Registration No. TCH 32732 to Respondent. The license is scheduled to  
25 expire on May 31, 2007.

26 3. On or about April 13, 2006, Carrie L. Johnson, an employee of the  
27 Department of Justice, served by Certified and First Class Mail a copy of Accusation No. 2907,  
28 Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code

1 sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which  
2 was and is 3179 Lomar Springs Court, Spring Valley, California 91977. A copy of the  
3 Accusation, the related documents, and Declaration of Service are attached as exhibit A, and are  
4 incorporated herein by reference.

5 4. Service of the Accusation was effective as a matter of law under the  
6 provisions of Government Code section 11505, subdivision (c).

7 5. On or about April 18, 2006, the Domestic Return Receipt for the Certified  
8 Mailing was returned by the U.S. Postal Service showing delivery and an addressee signature in  
9 the name of Eddice Parker. The Domestic Return Receipt is attached to the Declaration of  
10 Service and is incorporated herein by reference as part of Exhibit A. No documents have been  
11 returned that were mailed to the address of record.

12 6. Government Code section 11506 states, in pertinent part:

13 "(c) The respondent shall be entitled to a hearing on the merits if the respondent  
14 files a notice of defense, and the notice shall be deemed a specific denial of all parts of the  
15 accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of  
16 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

17 7. Respondent failed to file a Notice of Defense within 15 days after service  
18 upon him of the Accusation, and therefore waived his right to a hearing on the merits of  
19 Accusation No. 2907.

20 8. California Government Code section 11520 states, in pertinent part:

21 "(a) If the respondent either fails to file a notice of defense or to appear at the  
22 hearing, the agency may take action based upon the respondent's express admissions or  
23 upon other evidence and affidavits may be used as evidence without any notice to  
24 respondent."

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1                   9. Pursuant to its authority under Government Code section 11520, the Board  
2 finds Respondent is in default. The Board will take action without further hearing and, based on  
3 Respondent's express admissions by way of default and the evidence before it, contained in  
4 Exhibit A, and the certified records of conviction for the convictions alleged in Accusation No.  
5 2907, finds that the allegations in Accusation No. 2907 are true.

6                   10. The total costs for enforcement are \$2,372.50 as of July 12, 2006.

7                                   **DETERMINATION OF ISSUES**

8                   1. Based on the foregoing findings of fact, Respondent Ahmad H. Hall  
9 Chand has subjected his Pharmacy Technician Registration No. TCH 32732 to discipline.

10                  2. A copy of the Accusation and the related documents and Declaration of  
11 Service (including Domestic Return Receipt) are attached.

12                  3. The agency has jurisdiction to adjudicate this case by default.

13                  4. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy  
14 Technician Registration based upon the following violations alleged in the Accusation:

15                       a. First Cause for Discipline: suffered a substantially related criminal  
16 conviction (Health and Safety Code section 11377 (a) - possession of a controlled  
17 substance, to wit: methamphetamine, a misdemeanor pursuant to Penal Code section 17  
18 (b)(4)), in violation of Business and Professions Code section 4301 (l).

19                       b. Second Cause for Discipline: suffered a substantially related  
20 criminal conviction (Penal Code section 415 (1) - unlawfully challenging another person in a  
21 public place to fight, a misdemeanor), in violation of Business and Professions Code section  
22 4301 (l).

23                       c. Third Cause for Discipline: possession of a controlled substance,  
24 to wit: methamphetamine, in violation of Business and Professions Code section 4060.

25                                   **ORDER**

26                   IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 32732,  
27 heretofore issued to Respondent Ahmad H. Hall Chand, is revoked.

28                   ///

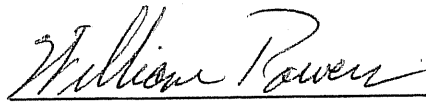
1 Pursuant to Government Code section 11520, subdivision (c), Respondent may  
2 serve a written motion requesting that the Decision be vacated and stating the grounds relied on  
3 within seven (7) days after service of the Decision on Respondent. The agency in its discretion  
4 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the  
5 statute.

6 This Decision shall become effective on October 11, 2006.

7 It is so ORDERED September 11, 2006

8 BOARD OF PHARMACY  
9 DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

11  
12 By



13 WILLIAM POWERS  
14 Board President

13 80082768.wpd

14 DOJ docket number:SD2005700970

15 Attachments:

16 Exhibit A: - Accusation No.2907, Related Documents, and Declaration of Service (including  
17 Domestic Return Receipt)  
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Exhibit A

Accusation No. 2907,  
Related Documents and Declaration of Service  
(including Domestic Return Receipt)

1 BILL LOCKYER, Attorney General  
of the State of California  
2 RONALD A. CASINO, State Bar No. 70410  
Deputy Attorney General  
3 California Department of Justice  
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9 **BEFORE THE**  
**BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2907

12 AHMAD H. HALL CHAND  
13 3179 Lomar Springs Court  
Spring Valley, Ca. 91977

**A C C U S A T I O N**

14 Pharmacy Technician Registration No.  
15 TCH 32732

16 Respondent.

17  
18 Complainant alleges:

19 PARTIES

20 1. Patricia F. Harris (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer  
22 Affairs.

23 2. On or about March 21, 2000, the Board of Pharmacy issued Pharmacy  
24 Technician Registration Number TCH 32732 to Ahmad H. Hall Chand (Respondent). The  
25 Pharmacy Technician Registration was in full force and effect at all times relevant to the charges  
26 brought herein and will expire on May 31, 2007, unless renewed.

27 JURISDICTION

28 3. This Accusation is brought before the Board of Pharmacy (Board), under

1 the authority of the following sections of the Business and Professions Code (Code):

2 A. Section 4301 of the Code states in pertinent part:

3 "The board shall take action against any holder of a license  
4 who is guilty of unprofessional conduct or whose license  
5 has been procured by fraud or misrepresentation or issued  
6 by mistake. Unprofessional conduct shall include, but is  
7 not limited to, any of the following:

8 " . . . .

9 " . . . .

10 "(j) The violation of any of the statutes of this state or  
11 of the United States regulating controlled substances  
12 and dangerous drugs.

13 " . . . .

14 "(l) The conviction of a crime substantially related to the  
15 qualifications, functions, and duties of a licensee under  
16 this chapter. The record of conviction of a violation of  
17 Chapter 13 (commencing with Section 801) of Title 21  
18 of the United States Code regulating controlled substances  
19 or of a violation of the statutes of this state regulating  
20 controlled substances or dangerous drugs shall be  
21 conclusive evidence of unprofessional conduct. In all  
22 other cases, the record of conviction shall be conclusive  
23 evidence only of the fact that the conviction occurred. The  
24 board may inquire into the circumstances surrounding the  
25 commission of the crime, in order to fix the degree of  
26 discipline or, in the case of a conviction not involving  
27 controlled substances or dangerous drugs, to determine  
28 if the conviction is of an offense substantially related to  
the qualifications, functions, and duties of a licensee  
under this chapter. A plea or verdict of guilty or a  
conviction following a plea of nolo contendere is  
deemed to be a conviction within the meaning of this  
provision. The board may take action when the time for  
appeal has elapsed, or the judgment of conviction has been  
affirmed on appeal or when an order granting probation  
is made suspending the imposition of sentence,  
irrespective of a subsequent order under Section 1203.4  
of the Penal Code allowing the person to withdraw his  
plea of guilty and to enter a plea of not guilty, or  
setting aside the verdict of guilty, or dismissing the  
accusation, information, or indictment.

" . . . ."

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1 B. Section 4060 of the Code states, in pertinent part, that no person shall  
2 possess any controlled substance except upon the prescription of a physician, dentist, podiatrist,  
3 or veterinarian.

4 C. Section 125.3 of the Code states, in pertinent part, that the Board may  
5 request the administrative law judge to direct a licensee found to have committed a violation or  
6 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
7 and enforcement of the case.

8 D. Section 118, subdivision (b), of the Code provides that the suspension,  
9 expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to  
10 proceed with a disciplinary action during the period within which the license may be renewed,  
11 restored, reissued or reinstated.

12 4. This Accusation is also brought before the Board with reference to section  
13 11377(a) of the Health and Safety Code, which states, in pertinent part, that it is unlawful to  
14 possess any controlled substance which is specified in subdivision (d) of section 11055 without a  
15 prescription.

16 5. "Methamphetamine" is a schedule II controlled substance specified in  
17 subdivision (d) of section 11055 of the Health and Safety Code.

18 6. This Accusation is also brought before the Board with reference to Penal  
19 Code section 415, subdivision (1), which states, in pertinent part, that it is unlawful to fight in a  
20 public place or to challenge another person in a public place to fight.

## 21 **CHARGES AND ALLEGATIONS**

### 22 **FIRST CAUSE FOR DISCIPLINE**

23 (Unprofessional Conduct: Substantially Related Criminal Conviction)

24 7. Respondent is subject to disciplinary action under Code section 4301(1)  
25 for conviction of a crime substantially related to the qualifications, functions, or duties of a  
26 pharmacy technician in that on or about November 10, 2004, in *People v. Ahmad Hall Chand*,  
27 San Diego Superior Court Case No. C244924, respondent was convicted, by his plea of guilty, of  
28 a violation of Health and Safety Code section 11377(a) (possession of a controlled substance, to



1 wit: methamphetamine), a misdemeanor pursuant to Penal Code section 17(b)(4).

2 The circumstances surrounding the crime are as follows:

3 On or about November 2, 2004, respondent had methamphetamine in his  
4 possession.

5 On November 10, 2004, respondent was sentenced to three (3) years summary  
6 probation, sixty (60) days stayed custody, thirteen (13) days actual custody, concurrent with the  
7 custody set forth in paragraph 8 below, a \$100 fine, and HIV education.

8 **SECOND CAUSE FOR DISCIPLINE**

9 (Unprofessional Conduct: Substantially Related Criminal Conviction)

10 8. Respondent is subject to disciplinary action under Code section 4301(1) for  
11 conviction of a crime substantially related to the qualifications, functions, or duties of a  
12 pharmacy technician in that on or about November 10, 2004, in *People v. Ahmad Hall Chand*,  
13 San Diego Superior Court Case No. C244924, respondent was convicted, by his plea of guilty, of  
14 a violation of PC section 415(1) (unlawfully challenging another person in a public place to  
15 fight).

16 The circumstances surrounding the crimes are as follows:

17 On or about November 2, 2004, respondent exhibited knives in a public place in a  
18 rude, angry, and threatening manner.

19 On November 10, 2004, respondent was denied probation and sentenced to 13  
20 days actual custody, concurrent with the custody set forth in paragraph 7 above.

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10. Respondent is subject to disciplinary action under Code section 4301(j), in that he possessed Methamphetamine in violation of Code section 4060, as set forth in paragraph 7 above.

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Pharmacy issue a decision:

- DATED: 4/3/06

RAC:kc  
SD2005700970  
70051894.wpd

1 BILL LOCKYER, Attorney General  
of the State of California  
2 RONALD A. CASINO, State Bar No. 70410  
Deputy Attorney General  
3 California Department of Justice  
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**BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 AHMAD H. HALL CHAND

14 Respondent.

Case No. 2907

15 **STATEMENT TO RESPONDENT**

[Gov. Code §§ 11504, 11505(b)]

16  
17 **TO RESPONDENT:**

18 Enclosed is a copy of the Accusation that has been filed with the Board of  
19 Pharmacy of the Department of Consumer Affairs (Board), and which is hereby served on you.

20 Unless a written request for a hearing signed by you or on your behalf is delivered  
21 or mailed to the Board, represented by Deputy Attorney General Ronald A. Casino, within fifteen  
22 (15) days after a copy of the Accusation was personally served on you or mailed to you, you will  
23 be deemed to have waived your right to a hearing in this matter and the Board may proceed upon  
24 the Accusation without a hearing and may take action thereon as provided by law.

25 The request for hearing may be made by delivering or mailing one of the enclosed  
26 forms entitled "Notice of Defense," or by delivering or mailing a Notice of Defense as provided  
27 in section 11506 of the Government Code, to  
28

1                   **Ronald A. Casino**  
2                   **Deputy Attorney General**  
3                   **110 West "A" Street, Suite 1100**  
4                   **San Diego, California 92101**

5                   **P.O. Box 85266**  
6                   **San Diego, California 92186-5266.**

7                   You may, but need not, be represented by counsel at any or all stages of these  
8                   proceedings.

9                   The enclosed Notice of Defense, if signed and filed with the Board, shall be  
10                  deemed a specific denial of all parts of the Accusation, but you will not be permitted to raise any  
11                  objection to the form of the Accusation unless you file a further Notice of Defense as provided in  
12                  section 11506 of the Government Code within fifteen (15) days after service of the Accusation  
13                  on you.

14                 If you file any Notice of Defense within the time permitted, a hearing will be held  
15                 on the charges made in the Accusation.

16                 The hearing may be postponed for good cause. If you have good cause, you are  
17                 obliged to notify the Office of Administrative Hearings, 1350 Front Street, Suite 6022, San  
18                 Diego, California 92101, within ten (10) working days after you discover the good cause. Failure  
19                 to notify the Office of Administrative Hearings within ten (10) days will deprive you of a  
20                 postponement.

21                 Copies of sections 11507.5, 11507.6, and 11507.7 of the Government Code are  
22                 enclosed.

23                 If you desire the names and addresses of witnesses or an opportunity to inspect  
24                 and copy the items mentioned in section 11507.6 of the Government Code in the possession,  
25                 custody or control of the Board you may send a Request for Discovery to the above designated  
26                 Deputy Attorney General.

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BEFORE THE  
BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 2907

AHMAD H. HALL CHAND

Respondent.

**NOTICE OF DEFENSE**

[Gov. Code §§ 11505 and 11506]

I, the undersigned Respondent in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Accusation; Statement to Respondent; Government Code sections 11507.5, 11507.6 and 11507.7, Complainant's Request for Discovery; and two copies of a Notice of Defense.

I hereby request a hearing to permit me to present my defense to the charges contained in the Accusation.

DATED: \_\_\_\_\_

Respondent's Name

Respondent's Signature

Respondent's Mailing Address

City, State and Zip Code

Respondent's Telephone Number

**Check appropriate box:**

- ☐ I do not consent to electronic reporting.

The hearing in this case will be electronically reported/recorded, unless you check the above-left box to indicate that you do not consent to electronic recording, in which case the hearing will be reported by a stenographic reporter. If you do not check this box, you may withdraw your consent to electronic recording at any point up to fifteen (15) calendar days prior to the date set for hearing, by a written statement served on the Office of Administrative Hearings and on counsel for Complainant. If the box is not checked, and no written withdrawal of consent is served on the Office of Administrative Hearing and on counsel for Complainant by fifteen (15) calendar days prior to the hearing, you waive any right to stenographic reporting.

- ☐ I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name

Counsel's Mailing Address

City, State and Zip Code

Counsel's Telephone Number

- ☐ I am not now represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address and telephone number will be filed with the Office of Administrative Hearing and a copy sent to counsel for Complainant so that counsel will be on record to receive legal notices, pleadings and other papers.

The agency taking the action described in the Accusation may have formulated guidelines to assist the administrative law judge in reaching an appropriate penalty. You may obtain a copy of the guidelines by requesting them from the agency in writing.

BEFORE THE  
BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 2907

AHMAD H. HALL CHAND

Respondent.

**NOTICE OF DEFENSE**

[Gov. Code §§ 11505 and 11506]

I, the undersigned Respondent in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Accusation; Statement to Respondent; Government Code sections 11507.5, 11507.6 and 11507.7, Complainant's Request for Discovery; and two copies of a Notice of Defense.

I hereby request a hearing to permit me to present my defense to the charges contained in the Accusation.

DATED: \_\_\_\_\_

Respondent's Name

Respondent's Signature

Respondent's Mailing Address

City, State and Zip Code

Respondent's Telephone Number

**Check appropriate box:**

- ☐ I do not consent to electronic reporting.

The hearing in this case will be electronically reported/recorded, unless you check the above-left box to indicate that you do not consent to electronic recording, in which case the hearing will be reported by a stenographic reporter. If you do not check this box, you may withdraw your consent to electronic recording at any point up to fifteen (15) calendar days prior to the date set for hearing, by a written statement served on the Office of Administrative Hearings and on counsel for Complainant. If the box is not checked, and no written withdrawal of consent is served on the Office of Administrative Hearing and on counsel for Complainant by fifteen (15) calendar days prior to the hearing, you waive any right to stenographic reporting.

- ☐ I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name

Counsel's Mailing Address

City, State and Zip Code

Counsel's Telephone Number



- ☐ I am not now represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address and telephone number will be filed with the Office of Administrative Hearing and a copy sent to counsel for Complainant so that counsel will be on record to receive legal notices, pleadings and other papers.

The agency taking the action described in the Accusation may have formulated guidelines to assist the administrative law judge in reaching an appropriate penalty. You may obtain a copy of the guidelines by requesting them from the agency in writing.

~h\$d0001.hdd

1 BILL LOCKYER, Attorney General  
of the State of California  
2 RONALD A. CASINO, State Bar No. 70410  
Deputy Attorney General  
3 California Department of Justice  
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7 Attorneys for Complainant  
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9 **BEFORE THE**  
**BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 AHMAD H. HALL CHAND

14 Respondent.  
15

Case No. 2907

**REQUEST FOR DISCOVERY**

[Gov. Code § 11507.6]

16  
17 TO RESPONDENT:

18 Under section 11507.6 of the Government Code of the State of California, parties  
19 to an administrative hearing, including the Complainant, are entitled to certain information  
20 concerning the opposing party's case. A copy of the provisions of section 11507.6 of the  
21 Government Code concerning such rights is included among the papers served.

22 PURSUANT TO SECTION 11507.6 OF THE GOVERNMENT CODE, YOU  
23 ARE HEREBY REQUESTED TO:

- 24 1. Provide the names and addresses of witnesses to the extent known to the  
25 Respondent, including, but not limited to, those intended to be called to testify at the hearing, and  
26 2. Provide an opportunity for the Complainant to inspect and make a copy of  
27 any of the following in the possession or custody or under control of the Respondent:

28 ///

1           a.       A statement of a person, other than the Respondent, named in the initial  
2 administrative pleading, or in any additional pleading, when it is claimed that the act or  
3 omission of the Respondent as to this person is the basis for the administrative  
4 proceeding;

5           b.       A statement pertaining to the subject matter of the proceeding  
6 made by any party to another party or persons;

7           c.       Statements of witnesses then proposed to be called by the  
8 Respondent and of other persons having personal knowledge of the acts, omissions or  
9 events which are the basis for the proceeding, not included in (a) or (b) above;

10          d.       All writings, including but not limited to reports of mental,  
11 physical and blood examinations and things which the Respondent now proposes to offer  
12 in evidence;

13          e.       Any other writing or thing which is relevant and which would be  
14 admissible in evidence, including but not limited to, any patient or hospital records  
15 pertaining to the persons named in the pleading;

16          f.       Investigative reports made by or on behalf of the Respondent  
17 pertaining to the subject matter of the proceeding, to the extent that these reports (1)  
18 contain the names and addresses of witnesses or of persons having personal knowledge of  
19 the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters  
20 perceived by the investigator in the course of his or her investigation, or (3) contain or  
21 include by attachment any statement or writing described in (a) to (e), inclusive, or  
22 summary thereof.

23               For the purpose of this Request for Discovery, "statements" include written  
24 statements by the person, signed, or otherwise authenticated by him or her, stenographic,  
25 mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person,  
26 and written reports or summaries of these oral statements.

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28       ///

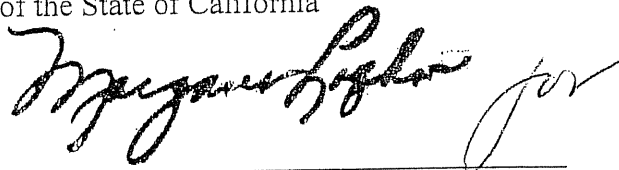
1           YOU ARE HEREBY FURTHER NOTIFIED that nothing in this Request for  
2 Discovery should be deemed to authorize the inspection or copying of any writing or thing which  
3 is privileged from disclosure by law or otherwise made confidential or protected as attorney's  
4 work product.

5           Your response to this Request for Discovery should be directed to the undersigned  
6 attorney for the Complainant at the address on the first page of this Request for Discovery **within**  
7 **30 days after service** of the Accusation.

8           Failure without substantial justification to comply with this Request for Discovery  
9 may subject the Respondent to sanctions pursuant to sections 11507.7 and 11455.10 to 11455.30  
10 of the Government Code.

11 DATED: April 13, 2006

12 BILL LOCKYER, Attorney General  
13 of the State of California

14 A handwritten signature in black ink, appearing to read 'Ronald A. Casino', written over a horizontal line.

15 RONALD A. CASINO  
16 Deputy Attorney General

17 Attorneys for Complainant

18  
19 RAC:clj  
20 SD2005700970  
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**COPY OF GOVERNMENT CODE SECTIONS 11507.5, 11507.6 AND 11507.7  
PROVIDED PURSUANT TO GOVERNMENT CODE SECTIONS 11504 AND 11505**

**SECTION 11507.5: Exclusivity of discovery provisions**

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

**SECTION 11507.6: Request for discovery**

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

(a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;

(b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

(c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;

(d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

(e) Any other writing or thing which is relevant and which would be admissible in evidence;

(f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

## **SECTION 11507.7: Petition to compel discovery; Order; Sanctions**

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of Section 915 of the Evidence Code and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

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**DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL**

(Separate Mailings)

Case Name: **In the Matter of the Accusation Against Ahmad H. Hall Chand, TCH**

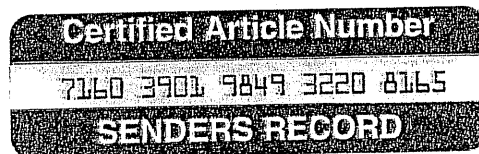
Case No.: **2907**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On April 13, 2006, I served the attached **STATEMENT TO RESPONDENT, ACCUSATION, NOTICE OF DEFENSE (2 copies), REQUEST FOR DISCOVERY, and DISCOVERY STATUTES** by placing a true copy thereof enclosed in a sealed envelope as certified mail with postage thereon fully prepaid and return receipt requested, and another true copy of the **STATEMENT TO RESPONDENT, ACCUSATION, NOTICE OF DEFENSE (2 copies), REQUEST FOR DISCOVERY, and DISCOVERY STATUTES** was enclosed in a second sealed envelope as first class mail with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

Ahmad H. Hall Chand  
3179 Lomar Springs Court  
Spring Valley, CA 91977



I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on April 13, 2006, at San Diego, California.

\_\_\_\_\_  
Carrie L. Johnson  
Declarant

\_\_\_\_\_  
*Carrie L. Johnson*  
Signature

cc: Kim deLong - Board of Pharmacy

7160 3901 9849 3220 8165

TO: Ahmad H. Hall Chand  
3179 Lomar Springs Court  
Spring Valley, CA 91977

SENDER: RAC/clj  
REFERENCE: SD2005700970  
Ahmad H. Hall Chand, TCH  
Accusation

PS Form 3800, January 2005 April 13, 2006

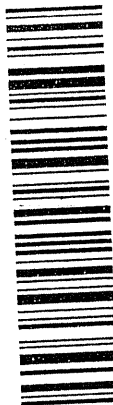
RETURN RECEIPT SERVICE	Postage	
	Certified Fee	
	Return Receipt Fee	
	Restricted Delivery	
	Total Postage & Fees	

US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE

2. Article Number



7160 3901 9849 3220 8165

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

Ahmad H. Hall Chand  
3179 Lomar Springs Court  
Spring Valley, CA 91977

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

*Eddie Parker*

B. Date of Delivery

*04/14/06*

C. Sig

*Eddie Parker*

D. Is deliver, trass different from item 1? If YES, etc. delivery address below:

Agent Addressee ☒ Yes ☐ No

re: Ahmad H. Hall Chand, TCH

SD2005700970

Accusation  
April 13, 2006